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10/795,922	03/08/2004	Fatih Comlekoglu		1816

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05/02/2007

EXAMINER
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JOHNSON, CARLTON

ART UNIT	PAPER NUMBER
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2136

MAIL DATE	DELIVERY MODE
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05/02/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/795,922

Applicant(s)

COMLEKOGLU ET AL.

Examiner

Carlton V. Johnson

Art Unit

2136

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 March 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. This action is responding to application papers filed on **3-8-2004**.
2. Claims **1 - 28** are pending. Claims **1, 13, 22** are independent.

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102(e) that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims **1 - 5, 7 - 15, 17 - 24, 26 - 28** are rejected under 35 U.S.C. 102(e) as being anticipated by **Cheline et al.** (US PG PUB No. **20030041136**).

**Regarding Claims 1, 22**, Cheline discloses a method for reducing the vulnerability of an enterprise network to a malicious code attack from a virtual private network (VPN) capable end system, comprising:

- a) denying network access to a VPN capable end system before a user on the end system becomes authenticated; (see Cheline paragraph [0043], lines 1-8; paragraph [0069], lines 4-11: access only after user authentication)

- b) permitting network access by the end system solely on at least one VPN connection to an enterprise network once the user on the end system becomes authenticated; (see Cheline paragraph [0049], lines 8-14; paragraph [0071], lines 1-3: access only after user authentication) and
- c) permitting write access to the end system solely to at least one temporary memory while the VPN connection is active. (see Cheline paragraph [0049], lines 11-14: transfer of information between systems)

**Regarding Claim 2**, Cheline discloses the method of claim 1, wherein the recited steps are performed on the end system. (see Cheline paragraph [0043], lines 1-8; paragraph [0069], lines 4-11; paragraph [0049], lines 8-14; paragraph [0071], lines 1-3; paragraph [0049], lines 11-14: VPN setup, users authenticated, data access enabled)

**Regarding Claims 3, 14, 23**, Cheline discloses the method of claim 1, further comprising the step of purging the temporary memory once the VPN connection becomes inactive. (see Cheline paragraph [0076], lines 1-5: VPN torn down, tunnel disconnected, security information in temporary memory removed)

**Regarding Claims 4, 15, 24**, Cheline discloses the method of claim 1, further comprising the step of authenticating the user. (see Cheline paragraph [0049], lines 8-14: authenticate user)

Art Unit: 2136

**Regarding Claim 5**, Cheline discloses the method of claim 4, wherein the authenticating step comprises a two factor user authentication. (see Cheline paragraph [0027], lines 8-15: two factor authentication, 1: userid and password, 2: digital certificates)

**Regarding Claim 7**, Cheline discloses the method of claim 1, wherein the step of permitting write access comprises directing data writes to a RAM disk on the end system. (see Cheline paragraph [0071], lines 1-3: VPN access to end system enabled)

**Regarding Claims 8, 17, 26**, Cheline discloses the method of claim 1, further comprising the step of logging the user off the end system once the VPN connection becomes inactive. (see Cheline paragraph [0076], lines 1-5: logoff, VPN disconnected or inactive)

**Regarding Claim 9**, Cheline discloses the method of claim 1, further comprising the step of restarting the end system once the VPN connection becomes inactive. (see Cheline paragraph [0076], lines 1-5: relogin, restarting end system)

**Regarding Claims 10, 19, 28**, Cheline discloses the method of claim 1, further comprising the step of shutting down the end system once the VPN connection becomes inactive. (see Cheline paragraph [0076], lines 10-14: VPN disconnected, tunnel torn down)

**Regarding Claim 11**, Cheline discloses the method of claim 1, wherein the VPN connection becomes inactive through an action initiated on the end system. (see Cheline paragraph [0076], lines 7-8: logoff, action initiated by user)

**Regarding Claim 12**, Cheline discloses the method of claim 1, wherein the VPN connection becomes inactive through an action initiated external to the end system. (see Cheline paragraph [0076], lines 1-5: timeout (i.e. action external to system), VPN disconnected (i.e. inactive))

**Regarding Claims 13, 20, 21**, Cheline discloses a virtual private network (VPN) capable end system, comprising:

- a) at least one permanent memory; (see Cheline page 11, claim 13: computer-readable medium, memory, storage)
- b) at least one temporary memory; (see Cheline paragraph [0058], line 1: temporary memory)
- c) at least one processor coupled to the permanent memory and the temporary memory; (see Cheline paragraph [0047], lines 1-3: processor) and
- d) operating software stored on the permanent memory, the operating software having instructions executable by the processor to deny network access to the end system before a user on the end system becomes authenticated and, once the user on the end system becomes authenticated, to permit network access by

the end system solely on at least one VPN connection to an enterprise network and permit write access solely to the temporary memory while the VPN connection is active. (see Cheline paragraph [0047], lines 6-20: operating system software, perform functions; page 11, claim 13: computer-readable medium)

Regarding Claim 18, Cheline discloses the end system of claim 13, wherein the operating software has instructions executable by the processor to restart the end system once the VPN connection becomes inactive. (see Cheline paragraph [0076], lines 1-5: relogon (i.e. restart) end system)

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims **6, 16, 25** are rejected under 35 U.S.C. 103(a) as being unpatentable over Cheline in view of Nguyen **et al.** (US PG PUB No. **20030172145**).

**Regarding Claims 6, 16, 25**, Cheline discloses the method of claim 1, wherein the step of permitting network access. (see Cheline paragraph [0071], lines 1-3: enable network access, VPN) Cheline does not specifically disclose dropping packets that are not

Art Unit: 2136

associated with the VPN connection. However, Nguyen disclose wherein dropping packets that are not associated with the VPN connection. (see Nguyen paragraph [0954], lines 1-7: VPN technology; paragraph [0978], lines 4-7; paragraph [0979], lines 11-15; paragraph [1087], lines 14-17: invalid packet, not associated with VPN connection dropped, unapproved connections dropped)

It would have been obvious to one of ordinary skill in the art to modify Cheline as taught by Nguyen to enable the capability to drop packets that are not associated with the VPN connection. One of ordinary skill in the art would have been motivated to employ the teachings of Nguyen in order to enable the capability to leverage the Internet for useful and vital business activities. (see Nguyen paragraph [0029], lines 1-8: "*... For enterprises and service providers alike, knowing how to leverage the Internet for more than mere Web advertising and e-mail access may be vital to remaining competitive in today's increasingly Net-driven markets. Successful service providers and commercial enterprises may differentiate themselves by the way they use Internet technology to rapidly create and deploy new services and implement new business models. ...*")

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlton V. Johnson whose telephone number is 571-270-1032. The examiner can normally be reached on Monday thru Friday , 8:00 - 5:00PM EST.



Art Unit: 2136

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser Moazzami can be reached on 571-272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

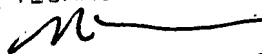
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Carlton V. Johnson  
Examiner  
Art Unit 2136



CVJ

April 27, 2007

  
4,30,07